

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

CHANAY et al.

Art Unit: 1638

Application No.: 09/147,721

Examiner: M. Ibrahim

Filed: February 24, 1999

Attorney Dkt. No.: 108172-09005

For: METHOD FOR PHYTOMINING OF NICKEL, COBALT AND
OTHER METALS FROM SOIL

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

RECEIVED

Commissioner of Patents
Washington, D. C. 20231

JAN 15 2003

Sir:

TECH CENTER 1600/2900

Petitioners, UNIVERSITY OF MARYLAND, College Park, MD, THE
UNITED STATES OF AMERICA AS REPRESENTED BY THE SECRETARY
OF AGRICULTURE, Washington, DC, and UNIVERSITY OF SHEFFIELD,
Sheffield, United Kingdom, represent that they are jointly the assignee of all right,
title and interest in and to the above-identified U. S. Patent Application
Petitioners are also the joint assignee of all right, title, and interest in and to U. S.
Patent No. 5,711,784, issued January 27, 1998.

Petitioner hereby disclaims the terminal part, if any, of any patent granted
on application Serial No. 09/147,721, which would extend beyond the expiration
date of United States Patent No. 5,711,784, and hereby agrees that any patent
so granted on application Serial No. 09/147,721, shall be enforceable only during
such period that the legal title to such patent shall be the same as the legal title
to United States Patent No. 5,711,784, this agreement to run with any patent

granted on the application, Serial No. 09/147,721, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,711,784 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Each of the undersigned on behalf of petitioners, **UNIVERSITY OF MARYLAND**, College Park, MD, **THE UNITED STATES OF AMERICA AS REPRESENTED BY THE SECRETARY OF AGRICULTURE**, Washington, DC, and **UNIVERSITY OF SHEFFIELD**, Sheffield, United Kingdom, hereby states and declares: I have the authority to execute this Terminal Disclaimer on behalf of the petitioner under which my signature is affixed.

Each of the undersigned hereby declares: All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

UNIVERSITY OF MARYLAND

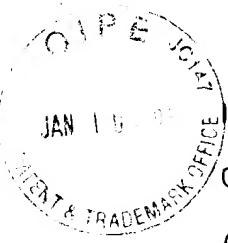
By: Jeanne C. R.
Title: Executive Director
Date: January 8, 2003

THE UNITED STATES OF AMERICA
AS REPRESENTED BY THE
SECRETARY OF AGRICULTURE

By: _____
Title: _____
Date: _____

UNIVERSITY OF SHEFFIELD

By: _____
Title: _____
Date: _____



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CHANAY et al.

Art Unit: 1638

Application No.: 09/147,721

Examiner: M. Ibrahim

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Respectfully submitted,

UNIVERSITY OF MARYLAND

By: _____

Title: _____

Date: _____

THE UNITED STATES OF AMERICA
AS REPRESENTED BY THE
SECRETARY OF AGRICULTURE

By: Juelle L. Frasier
Title: Patent Advisor
Date: January 8, 2003

UNIVERSITY OF SHEFFIELD

By: _____

Title: _____

Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

CHANAY et al.

Art Unit: 1638

Application No.: 09/147,721

Examiner: M. Ibrahim

Filed: February 24, 1999

Attorney Dkt. No.: 108172-09005

For: **METHOD FOR PHYTOMINING OF NICKEL, COBALT AND
OTHER METALS FROM SOIL**

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

Commissioner of Patents
Washington, D. C. 20231

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Respectfully submitted,

UNIVERSITY OF MARYLAND

By: _____

Title: _____

Date: _____

**THE UNITED STATES OF AMERICA
AS REPRESENTED BY THE
SECRETARY OF AGRICULTURE**

By: _____

Title: _____

Date: _____

UNIVERSITY OF SHEFFIELD

By: D. J. Winstanley (David J. Winstanley PhD)

Title: Operations Manager, Sheffield University Enterprises

Date: 7th January 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No. 2098

CHANEY et al.

Art Unit: 1638

Application No.: 09/147,721

Examiner: M. Ibrahim

Filed: February 24, 1999

Attorney Dkt. No.: 108172-09005

For: METHOD FOR PHYTOMINING OF NICKEL, COBALT AND
OTHER METALS FROM SOIL

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D. C. 20231

January 10, 2003

Sir:

Submitted herewith for filing in the above-identified application, is a Terminal
Disclaimer.

Enclosed is a check in the amount of \$520 (small entity) to cover the cost of
the Terminal Disclaimer fee and the extension fee. In the event that this check is found to
be insufficient, or if any additional fees are due with respect to the filing of this paper,
please charge Deposit Account Number 01-2300.

Respectfully submitted,
AREN'T FOX KINTNER, PLQTKIN & KAHN PLLC

By: 
for Hans J. Crosby
Attorney for Applicants
Reg. No. 44,635

#39107

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Facsimile (202) 638-4810
HJC/ccd
Enclosure: Terminal Disclaimer (3)

Check# 353018